

IN THE DRAWINGS

The attached sheet of drawings includes changes to Figure 6B. This sheet, which includes Figures 6A and 6B, replaces the original sheet including Figures 6A and 6B.

Attachment: Replacement Sheet

### REMARKS

Favorable reconsideration of this application as presently amended and in light of the following discussion is respectfully requested.

Claims 1, 2, 4-15, and 20-31 are pending in this application; Claims 3 and 16-19 having previously been canceled without prejudice or disclaimer; and Claims 1, 7, 12, 20, and 24 having been amended by the present Amendment. Support for amended Claims 1, 7, 12, 20, and 24 can be found, for example, in the original claims, drawings, and specification as originally filed.<sup>1</sup> No new matter has been added.

In the outstanding Office Action, the claims were objected to due to informalities; Claims 1, 2, 4-15, and 20-31 were rejected under 35 U.S.C. §112, first paragraph; Claims 7-11, 14, 22, 26, and 31 were rejected under 35 U.S.C. §112, second paragraph; Claims 1, 2, 4-15, and 20-30 were rejected under 35 U.S.C. §103(a) as unpatentable over Hatae et al. (U.S. Patent Publication No. 2003/0193948; hereinafter “Hatae”) further in view of Fukuhara et al. (U.S. Patent No. 7,127,111; hereinafter “Fukuhara”), Long (U.S. Patent No. 5,768,424), and Delean (U.S. Patent No. 5,907,640); and Claim 31 was rejected under 35 U.S.C. §103(a) as unpatentable over Hatae, Fukuhara, Long, Delean in view of Engeldrum et al. (U.S. Patent Publication No. 2002/0003903; hereinafter “Engeldrum”).

Applicant acknowledges with appreciation the courtesy of Examiner Hung in granting an interview in this case with Applicant’s representative on July 1, 2008, during which time the issues in the outstanding Office Action were discussed as substantially summarized hereinafter and also on the Interview Summary Sheet. Further, during the interview, the Examiner stated that he noticed some potential informalities/inconsistencies in the specification and drawings. For example, the Examiner believed that reference character 55 in Figure 6B should be labeled as “Image (Reversible)” instead of “Image (Non-reversible).”

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<sup>1</sup> See original Claim 5; and page 12, line 1 to page 13, line 9 of the specification.

Further, at page 35, line 23 and page 36, line 7 of the specification, the Examiner believes that “client computer 6” should be “server computer 6.” We have amended the specification and drawings to correct the above informalities. No agreement was reached during the interview pending a formal response to the outstanding Office Action.

Applicant’s response to the objection to the claims was addressed in the Amendment filed on June 24, 2008, therefore this discussion is omitted from this response.

In regard to the rejection of Claims 1, 2, 4-15, and 20-31 under 35 U.S.C. § 112, first paragraph, page 6 of the outstanding Office Action states that “claim 1 recites ‘apply the editing operation to the reversible code’ in line 13. However, per lines 11-12 of amended Claim 1 as well as Fig. 5 and P. 28, line 14-P. 30, line 16 (especially lines 11-20 of page 29 and lines 4-16 on page 30) of the specification of instance (sic) application, editing and modification are applied to the decoded images, not the code itself.... Note: for examination purpose ‘the reversible code’ will be interpreted as ‘the image obtained from decoding the reversible code’....”

During the interview of July 1, 2008, the Examiner suggested amending line 12 of Claim 1 to recite “to reflect the editing operation on the reversible code,” in order to overcome the rejection under 35 U.S.C. § 112, first paragraph. Applicant has amended independent Claims 1, 7, 12, 20, and 24 in accordance with the Examiner’s suggestion, and respectfully submits that the above feature is supported in the specification at least at page 29, line 22 to page 30, line 16.

Page 2 of the June 17, 2008 Advisory Action states:

...the new limitations of Claims 1, 7, 12, 20 are different from the cancelled limitation of claim 5 in that in claim 5 the determination is on whether the contents are reflected o[n] the image data in the form of reversible code or the original image. However, in amended claims 1, 7, 12, 20 the determination is on whether contents were performed by the cl[i]ent or the external apparatus....Additionally,...the determination is on whether the contents are “to be” (not “were” as in the amended

claims) performed in the “Own” (i.e., client) or the external apparatus. Therefore the new limitations have no support in the instant specification.

In response to the above-cited portion of the June 17, 2008 Advisory Action and the discussion with the Examiner on July 1, 2008, Applicant has amended Claim 1 to recite “a determining unit configured to determine whether contents of an operation of editing or modifying image data which are applied to the image data in a form of reversible code or the original image should be performed by the client apparatus or by another external apparatus,” as suggested by the Examiner during the interview. Applicant respectfully submits that the above features are supported in the specification at least at page 34, lines 2-22. Thus, Applicant respectfully submits that the currently claimed “determining unit” is adequately supported in the specification.

Accordingly, Applicant respectfully requests the rejection of Claims 1, 2, 4-15, and 20-31 under 35 U.S.C. § 112, first paragraph, be withdrawn.

Applicant addressed the rejection of Claims 7, 11, 14, 22, 26, and 31 under 35 U.S.C. §112, second paragraph, in the response filed on June 24, 2008.

In response to the rejection of Claims 1, 2, 4-15, and 20-30 under 35 U.S.C. §103(a) as unpatentable over Hatae in view of Fukuhara, Long, and Delean; and the rejection of Claim 31 under 35 U.S.C. §103(a), Applicant respectfully submits that amended independent Claim 1 recites novel features clearly not taught or rendered obvious by the applied references.

Amended independent Claim 1 is directed to an image processing system including,  
*inter alia*:

...a determining unit configured to determine whether contents of an operation of editing or modifying image data which are applied to the image data in a form of reversible code or the original image should be performed by the client apparatus or by another external apparatus ....

Page 11 of the outstanding Office Action, in the rejection of Claim 5, states that Delean describes a “determining part configured to determine whether the contents of operation of editing or modifying for the image data are actually reflected on the image data in the form of reversible code or the original image by the own apparatus or by another external apparatus.”

Delean describes that an “expression tree contains parameters that define the editing effects to ultimately be applied to the image. The content of the FITS file or the expression tree before it is saved to a FITS file is used by the raster image processing routine to generate an output.”<sup>2</sup> However, Delean fails to teach or suggest “a determining unit configured to determine whether contents of an operation of editing or modifying image data which are applied to the image data in a form of reversible code or the original image should be performed by the client apparatus or by another external apparatus,” as recited in Applicant’s amended independent Claim 1.

Delean merely describes that the FITS file can be displayed, printed, or exported to a desktop publishing system. Delean does not describe that it determined whether contents of an operation of editing or modifying the FITS file which are applied to the FITS file in a form of reversible code or the original image are to be carried out by a client apparatus or by another external apparatus. In other words, in Delean, there is no determination of the type of apparatus that will modify the image data.

Accordingly, Applicant respectfully submits that amended independent Claim 1 (and all claims depending thereon) patentably distinguishes over Delean.

Further, Applicant respectfully submits that Hatae, Fukuhara, and Long fail to cure any of the above-noted deficiencies of Delean.

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<sup>2</sup> See Delean at column 3, lines 31-38.

Amended independent Claim 7 recites “a determining unit configured to determine whether contents of an operation of editing or modifying image data which are applied to the image data in a form of reversible code or the original image should be performed by the image forming apparatus or by another external apparatus.” Thus, independent Claim 7 (and all claims depending thereon) are believed to be patentable for at least the reasons discussed above.

Amended independent Claims 12 and 20 recite “determining whether contents of an operation of editing or modifying image data which are applied to the image data in a form of reversible code or the original image should be performed by a client apparatus executing said method or by another external apparatus.” Thus, independent Claims 12 and 20 (and all claims depending thereon) are believed to be patentable for at least the reasons discussed above.

Amended independent Claim 24 recites “determining whether contents of an operation of editing or modifying image data which are applied to the image data in a form of reversible code or the original image should be performed by the client apparatus or by another external apparatus.” Thus, independent Claim 24 (and all claims depending thereon) is believed to be patentable for at least the reasons discussed above.

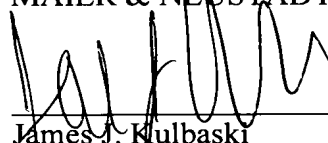
In regard to the rejection of Claim 31, Applicant notes that Claim 31 is dependent on Claim 1 and is believed to be patentable for at least the reasons discussed above. Further, Applicant respectfully submits that Engeldrum fails to cure any of the above-noted deficiencies of Hatae, Fukuhara, Long, and Delean.

Accordingly, Applicant respectfully requests that the rejections under 35 U.S.C. §103(a) be withdrawn.

Consequently, in view of the present amendment, and in light of the above discussion, the pending claims as presented herewith are believed to be in condition for formal allowance, and an early and favorable action to that effect is respectfully requested.

Respectfully submitted,

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